



1642

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/014,326
	Filing Date	11/12/2001
	First Named Inventor	Jakobsen, et al
	Art Unit	1642
	Examiner Name	Stephen L. Rawlings
Total Number of Pages in This Submission	Attorney Docket Number	102286.409US4.CON

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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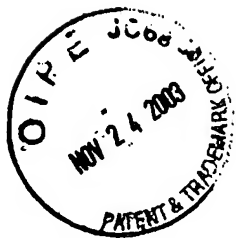
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Twomey
Signature	
Date	11/21/2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 102286.409US2

Applicants: Jakobsen et al.

Examiner: Rawlings, Stephen L.

Filed: November 13, 2001

Art Unit: 1642

Serial No.: 10/014,326

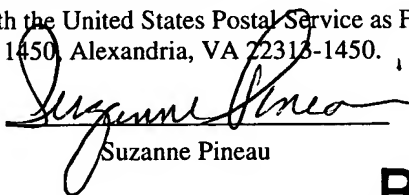
Entitled: SOLUBLE T CELL RECEPTOR

CERTIFICATION UNDER 37 CFR § 1.8(a)

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed October 21, 2003, Applicants provisionally elect to pursue the claims of Group I as they relate to soluble T cell receptors comprising a recombinant TCR  $\alpha$  chain extracellular domain having a first heterologous C-terminal dimerization peptide and a recombinant TCR  $\beta$  chain extracellular domain having a second heterologous C-terminal dimerization peptide. As the claims of Group I include all of the pending claims, no claims are canceled and claims 22-34 remain pending in the application.

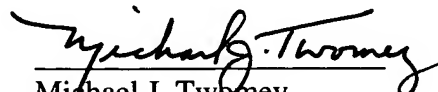
Respectfully, however, Applicants traverse the requirement for restriction on the grounds that  $\alpha$  and  $\gamma$  chains, on the one hand, and  $\beta$  and  $\delta$  chains, on the other, are not "unrelated in structure and/or function, and/or made by and/or used in different methods." Nothing could be farther from the truth. On the contrary,  $\alpha$  and  $\gamma$  chains are highly related structurally and

functionally and, indeed, evolutionarily. Similarly,  $\beta$  and  $\delta$  chains are highly related structurally, functionally and evolutionarily. In addition, it is simply not true that these chains are to be "made by and/or used in different methods." On the contrary, all of the chains are to be produced recombinantly by methods that differ only in the varying but homologous nucleic acid sequences expressed, and will be used in methods that relate to their shared natural functions in T cell receptors. Therefore, Applicants respectfully request that the restriction requirement be modified to a requirement for election of species, and that the Examiner first search and examine the elected species of  $\alpha$  and  $\beta$  chains.

Applicants believe that no additional fees are due with this filing. However, in the event that any fees are due, the Commissioner is hereby authorized to charge any fees necessary to maintain the pendency of this application to Deposit Account No. 08-0219.

If the Examiner has any questions, or believes that a telephone interview would expedite the favorable prosecution of this application, the undersigned attorney would welcome the opportunity to discuss any issues with the Examiner.

Respectfully submitted,

  
Michael J. Twomey  
Reg. No. 38,349

Date: November 21, 2003

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